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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,651	06/01/2001	Masami Nojiri	24664	9050

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Washington, DC 20005

EXAMINER

ZHOU, TING

ART UNIT	PAPER NUMBER
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2173

3

DATE MAILED: 12/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,651

Applicant(s)

NOJIRI, MASAMI

Examiner

Ting Zhou

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: ____

DETAILED ACTION

Drawings

1. The drawings are objected to because of the following minor informalities: the reference character for the part "Dd" is mislabeled. The part should be labeled as -- 10d -- instead of "10c".
2. Applicant is required to submit a proposed drawing correction of the above noted deficiencies in reply to this Office action. However, formal correction of the noted defect may be deferred until after the examiner has considered the proposed drawing correction. Failure to timely submit the proposed drawing correction will result in the abandonment of the application.

Specification

3. The abstract of the disclosure is objected to because of the misuse of the word "conditioned" on line 6. The intended word should be -- conditions --. Correction is required. See MPEP § 608.01(b).
4. The disclosure is objected to because of the following informalities:

- a. The use of the word "sown" on line 23 of page 6 is inappropriate. The correct word to use would be -- shown --.
 - b. The use of the word "inn" on line 24 of page 11 is inappropriate. The correct word to use would be -- in --.
- Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-9 and 11-17 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith et al. U.S. Patent 5,614,993.

Referring to claims 1 and 9, Smith et al. teach an image forming apparatus comprising a setup screen of a multi-stage type allowing predetermined conditions to be set up (column 2, lines 17-20), a setup confirmation screen allowing the predetermined conditions set up through the setup screen to be displayed for confirmation (column 2, lines 11-15) and a memory registration command section allowing the predetermined conditions confirmed through the setup confirmation screen to be stored in memories (column 2, lines 34-47), wherein the memory registration command section is located on the setup confirmation screen (memory control means

for generating the display of the summarization of different operating features selected) (column 2, lines 43-47), and an image forming unit forming the image on the basis of the predetermined conditions stored (producing copy jobs in accordance with selected operating features) (column 2, lines 34-42).

Referring to claims 2 and 11, Smith et al. teach the setup condition input device being a touch panel input device (touch screen display device) including a display section (display device) displaying predetermined information and a touch panel (touch screen) located on the front face of the display section, as recited in column 1, lines 40-44 and column 5, lines 38-47. This is also shown in Figure 4.

Referring to claims 3 and 12, Smith et al. teach the setup confirmation screen (summarization screen) having a display section displaying item contents of the predetermined conditions set up through the setup screen and associated set values thereof and a scroll button selectively displaying the item contents and the associated set values, as recited in column 7, lines 53-67 and shown in Figures 7, 12 and 15. Figure 12 shows scroll buttons selectively displaying the item contents (the arrows and "side 1" and "side 2" buttons allows the users to selectively show the contents on the display). Figures 7 and 15 show the confirmation screen displaying the conditions and values setup through the setup screen.

Referring to claims 4 and 13, Smith et al. teach the setup confirmation screen having a first display section to provide a display of the item contents of the predetermined conditions set up through the setup screen and a second display section to provide a display of the associated set values in correspondence with the first display section, as recited in column 6, lines 23-39. This is further shown in Figure 7, where the confirmation includes the first display of the item

contents of the conditions set up (such as Copy Quality, Paper Supply, Staple, Collate, etc.) and the second display of the set values for each predetermined item content (such as "S" for Copy Quality, "Lower" for Paper Supply, "Landscape" for Staple and "No" for Collate, etc.).

Referring to claims 5 and 14, Smith et al. teach the memory registration screen provided to include a plurality of memory buttons (job number buttons shown in Figure 25) allowing the predetermined conditions confirmed through the setup confirmation screen to be stored in a memory that is corresponding to one of the plurality of memory buttons, and the setup confirmation screen (the screen shown on the display) is shifted to the memory registration screen while the memory registration command is being operated (the job table screen is shown on the display instead of the setup condition summary screen when the memory key is actuated), as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6.

Referring to claims 6 and 15, Smith et al. teach the predetermined conditions confirmed through the setup confirmation screen stored in the memory through the memory registration screen, as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6. This can further be seen in Figure 25.

Referring to claims 7 and 16, Smith et al. teach a memory call-up command section provided to execute call-up of the predetermined conditions stored in the memories for use (retrieve saved jobs), as recited in column 8, lines 61-67 and continuing onto column 9, lines 1-6 and 32-42.

Referring to claims 8 and 17, Smith et al. teach the memory call-up command section appearing while the memory call-up command section is being operated, as recited in Figure 9, lines 32-42 and shown in Figure 25.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. U.S. Patent 5,614,993.

Referring to claim 10, Smith et al. teach the image forming apparatus (reproduction apparatus including, for example, printers and copiers) including a making section (marking engine) for making the image data on a sheet and a print section (development station) executing print on the basis of the image reproduction conditions, as recited in column 3, lines 55-67 and continuing onto column 4, lines 1-24. This is further shown in Figures 1 and 2. Although Smith et al. do not explicitly teach the image forming apparatus being a stencil printing machine, they do teach the ability to produce the image on paper of various types (column 1, lines 15-21) and the process of printing on the sheets of paper disclosed by Smith et al. (including a making section and a printing section) is the same as that recited in claim 10. One of ordinary skill would have known to use this process with any capable printing device, such as a stencil printing machine or any other type of printer. The examiner takes Office Notice of this teaching.

Therefore, it would have been obvious to include the stencil printing machine as a type of image forming apparatus taught by Smith et al. in order to allow users to set the conditions (such as letter size and shape) for the printed sheets used for stencil lettering.

7. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach electronic books with similar mechanisms for note taking and retrieval.

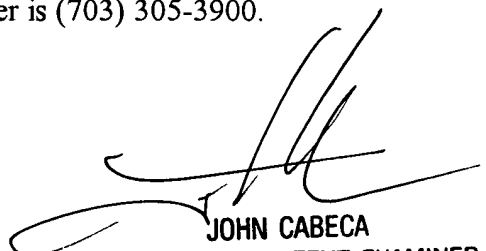
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (703) 305-0328. The examiner can normally be reached on Monday - Friday 7:00am - 3:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

December 22, 2003


JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100